Dated 1st July 1970.

No. GAD 208 INS 68. The final Inter-State Seniority List of Assistants of Mysore Government Secretariat has been published in accordance with the decisions of Government of India in Part III-1 of the *Mysore Gazette*, dated 18th March, 1965 under Notification No. GAD 58 INS 64, dated 12th March, 1965. In that list the name of Sri Srinivasacharya has not been included. His name appears at Sl. No. 56 in the final Inter-State Seniority list of Junior Assistants of Mysore Government Secretariate, published in Part III-1 of the *Mysore Gazette* dated 26th August, 1965 under Notification No. GAD 103 INS 65, dated nil August, 1965.

On a representation from Sri Srinivasacharya seeking inclusion of his name in the final Inter State Seniority List of Assistants, it was examined in consultation with the Government of Andhra Pradesh.

Sri Srinivasacharya is an allottee to Mysore State from ex-Hyderabad in the post of III Grade Clerk as on 31st October 1956. Sriyuths A. Kodandaramaiah and Chand Pasha Quadri who were juniors to Sri Srinivasacharya in the post of III Grade Clerk were allotted to Andhra Pradesh. In view of this, the question of the parent unit claim of Sri Srinivasacharya has been examined in consultation with Andhra Pradesh Government. The Andhra Pradesh Government have clarified in their letter No. 826/69-1, dated 9th July 1969 that the gradation list published in 1952 appears to have been superceded by the combined seniority list of III Grade Clerks of Secretariat Departments issued on 24th August, 1956. In that list Sriyuths A. Kodandaramiah and Chand Pasha Quadri have been ranked amongst II Grade Clerks while Sri Srinivasacharya has been shown among III Grade Clerks, and that it has to be presumed that Sri Srinivasacharya though senior to Sri Chand Pasha Quadri in the cadre of III Grade Clerks was not considered Suitable for promotion to the next higher cadre post of II Grade Clerk during November, 1954.

According to the seniority rules Promalgated on 23rd November 1950 by ex-Hyderabad Government which were in force in ex-Hyderabad as on 31st October, 1956, the seniority of a person in a service or class of post has to be determined by the date of his first appointment in the service or class of post provided his service therein is continuous and according to this rule, Sri Srinivasacharya was senior to Sriyuths A. Kodandaramiah and Chand Pasha Quadri who entered service on 21st October 1950, and 6th January 1951 respectively while Sri Srinivasacharya entered service on 21st April, 1950. Under Note-3 below rule 44 of H. C. S. R., the appointing authority has to see that all the Government servants who were senior to the Government servant who is out of the regular line have been given acting promotion and also the Government servant next below him, unless in any case the acting promotion is not given because of inefficiency, unsuitability or leave. In the case of Sri Srinivasacharya, however, certificate was given to him on 8th July, 1954 by Ex-Hyderabad Government to cross the Efficiency Bar. Further according to Ex-Hyderadad Government Circular dated 27th November, 1948, promotion would be based on seniority-*cum*-efficiency and a senior Clerk in a Lower Grade would be entitled to promotion unless he has a bad character roll or there is something against his efficiency, character reputation or integrity.

It appears that the seniority and even suitability of Sri Srinivasacharya were not in doubt and it would thus seem that his case for promotion was overlooked or that his request for proforma promotion was not derived by Andhra Pradesh Government before Re-organisation of States, and would require consideration.

In the circumstances, it is proposed to treat Sri Srinivasacharya as allotted to New Mysore in the post of a II Grade Clerk and to allow him seniority from the date his junior Sri Chand Pasha was promoted as II Grade Clerk by ex-Hydrabad Government *i.e.*, on 16th November 1953, and to include his name in the Inter-State Seniority list of Assistants of Mysore Government Secretariat on that basis at Sl. No. 270-A *i.e.*, immediately below Sri M. V. Muddabihal at Sl. No. 270 and immediately above Sri M. Rama Rao. at Sl No. 271.

Objections to the above proposal, if any, may be submitted in *Six Sets* addressed to the Secretary to the Government of India, Ministry of Home Affairs, New Delhi-1 through the Chief Secretary to the Government of Mysore, General Administration Department (Integration), Vidhana Soudha, Bangalore-1 within one month from the date of publication of this notification in the *Mysore Gazette*. If no objections are received within the time allowed, it will be assumed that there are no objections to the above proposal and further action will be taken accordingly.

By Order and in the name of the Governor of Mysore.

R. A. DESHPANDE,
Dy. Secy., to Govt.
40 *G. A. D.* (Integration).